

JUN 26 2007

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**TO: Commissioner for Patents, Mail Stop Amendment, Examiner Karin M. Reichle  
- United States Patent and Trademark Office**

Fax No. 571-273-8300

Phone No.

**FROM: Lesley A. Franklin (Typed or printed name of person signing Certificate)**

Fax No. 513-634-3848

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Application No.: 10/791,976

Inventor(s): Diana Lynne Gann et al.

Filed: March 3, 2004

Docket No.: 9566

Confirmation No.: 4843

FACSIMILE TRANSMITTAL SHEET ANDCERTIFICATE OF TRANSMISSION UNDER 37 C.F.R. §1.8

*I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office on June 26, 2007, to the above-identified facsimile number.*

Lesley A. Franklin (Signature)

Listed below are the item(s) being submitted with this Certificate of Transmission:\*\*

- 1) Reply to Notice of Non-Compliant Amendment (37 C.F.R. §1.121)(2 pages)

Number of Pages Including this Page: 3

(6\_27\_07\_FAX-USPTO 2\_9566 .doc Revised 11/18/2005) -laf

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No. : 10/791,976  
Inventor(s) : Diana Lynne Gann et al.  
Filed : March 3, 2004  
Art Unit : 3761  
Examiner : Karin M. Reichle  
Docket No. : 9566  
Confirmation No. : 4843  
Customer No. : 27752  
Title : TAMPON APPLICATOR HAVING A RUPTURABLE  
MEMBRANOUS CAP

REPLY TO NOTICE OF NON-COMPLIANT AMENDMENT (37 C.F.R. §1.121)

Mail Stop Amendment  
Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

INTRODUCTORY REMARKS

In response to the Notice of Non-compliant Amendment of 22 June 2007 please consider the following remarks.

*Remarks begin on page 2 of this paper.*

Appl. No. 10/791,976  
Atty. Docket No. 9566  
Response dated 26 June 2007  
Reply to Notice of Non-Compliant Amendment of 22 June 2007  
Customer No. 27752

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REMARKS

Claim Status

Claims 1, 2 and 5-11 are pending in the present application. Applicants note the Examiner's objections to the formal drawings submitted on 2 April 2007. However, as the application is on appeal, Applicants will respond to the Examiner's objections after the appeal process has been completed. Additionally, Applicants would respectfully like to state that an appeal brief was filed on 2 April 2007, before the issuance of the advisory action, in contradiction to the use of form PTOL-303.

Respectfully submitted,

THE PROCTER & GAMBLE COMPANY

By



Signature

James E. Oehlenschlager

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Date: 26 June 2007  
Customer No. 27752